
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 82

The Bankruptcy (Scotland) Regulations 2008

Application of the 1985 Act to limited partnerships

9.—(1) The application of the 1985 Act to the sequestration of the estate of a limited partnership shall be subject to the modifications specified in this regulation.

(2) Any reference in the 1985 Act or in legislation made under that Act (unless the context suggests otherwise) to a partnership (other than in section 6(1)) or to a firm shall be construed as including a reference to a limited partnership.

(3) In the application of section 9 of the 1985 Act to limited partnerships—

- (a) the Accountant in Bankruptcy shall have jurisdiction if a limited partnership is registered in Scotland and has a place of business in Scotland; and
- (b) the sheriff shall have jurisdiction if a limited partnership is registered in Scotland and has a place of business within the sheriff's sheriffdom.

(4) Without prejudice to the provisions of sections 14(1), 15(5) and 17(8) of the 1985 Act, the sheriff clerk shall send a copy of every court order mentioned in those sections to the Registrar of Limited Partnerships in Scotland⁽¹⁾.

(5) In the case of a debtor application by a limited partnership, the Accountant in Bankruptcy shall send a copy of the determination to the Registrar of Limited Partnerships in Scotland.

(1) This regulation re-enacts, with modifications, regulation 12 of the 1985 Regulations.